

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Nadia GARDEL et al.	)	Group Art Unit: 1616
	)	
Application No.: 10/784,909	)	Examiner: George, Konata M.
	)	
Filed: February 24, 2004	)	Confirmation No.: 6147
	)	
For: WATER-IN-OIL EMULSION	)	
FOUNDATION COMPRISING A	)	
POLYOL	)	<b><u>VIA EFS WEB</u></b>

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed foreign and non-patent literature documents are attached.  
Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the documents listed that are not in the English language,  
Applicants submit the following remarks:

1. **FR 2 737 115** This document is believed to be related to  
U.S. 5,830,449, cited on the attached form PTO/SB/08.
2. **FR 2 789 313** This document is believed to be related to  
U.S. 6,344,204, cited on the attached form PTO/SB/08.
3. **JP H07-138144** An English language abstract from Patent Abstracts of  
Japan of this document is submitted herewith.
4. **JP H09-40544** This document is believed to be related to  
U.S. 5,830,449, cited on the attached Form PTO/SB/08.
5. **JP H09-136821** An English language abstract from Patent Abstracts of  
Japan of this document is submitted herewith.
6. **JP 2000-229838** This document is believed to be related to  
U.S. 6,344,204, cited on the attached Form PTO/SB/08.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 23, 2009

By: 

Mark D. Sweet  
Reg. No. 41,469  
(202) 408-4000